
S-4415
CNG FUEL SUBDIVISION, A REPLAT OF LOT 1 SHORTER
COMMERCIAL SUBDIVISION, SECTION 2
Minor-Sketch Plan

STAFF REPORT
October 10, 2013

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**Staff Report
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is also the owner, represented by David Rainey of the Veridus Group and Tracy McGill of American Structurepoint, Inc., is seeking primary approval for two commercial lots by replatting an existing 3.75 acre lot, located at the northwest corner of SR 38 and Yost Drive, in Dayton, Sheffield 5 (SE) 22-3.

AREA ZONING PATTERNS:

The site is zoned HB, Highway Business as is all surrounding property except for GB zoning across SR 38 to the south and I3 zoning at the northeast corner of Yost and Hine Drive.

AREA LAND USE PATTERNS:

A CNG (compressed natural gas) fueling station is nearing completion on Lot 2. Proposed Lot 1 is currently unimproved. A nonconforming residence with access from Hine Drive is adjacent to the west; gas stations are across Yost Drive to the east as well as across SR 38 to the south/southwest. Land to the north is farmed.

This subdivision request is a replat of an existing major subdivision lot, namely Lot 1 of Shorter Commercial Subdivision, Section 2.

TRAFFIC AND TRANSPORTATION:

SR 38 is a primary arterial, Yost Drive is a collector; Hine Drive is classified as an urban local road. All required rights-of-way for the three roads are already in place. A "no vehicular access" statement which was platted along the SR 38 frontage in the Shorter Commercial Subdivision will need to be shown on this new final plat as well.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

According to the utility consultant for the Town of Dayton, the two lots can be served by sewer and water with no public improvements needed. Drainage for proposed Lot 2 was approved at the improvement location permit stage; the same will occur for proposed Lot 1.

CONFORMANCE WITH UZO REQUIREMENTS:

The proposed lots meet UZO requirements regarding lot size and width in the HB zone. Setbacks have been correctly shown; no bufferyard is required. As a replat of an

existing lot in a major subdivision, this qualifies as a minor subdivision request. The required public improvements are being built as part of the improvement location permit for the CNG station and have been bonded.

STAFF RECOMMENDATION:

Conditional primary approval, contingent on the following:

A. Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. A "No Vehicular Access" statement shall be platted along the SR 38 right-of-way line and the southernmost 60' of Yost Drive.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted.
4. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

5. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.